

The Future: Disruption, Resilience, Health: Disruption and Wellness

James, Nickolas

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Disruption and Wellness

Professor Nick James
Executive Dean, Faculty of Law
Bond University



Overview

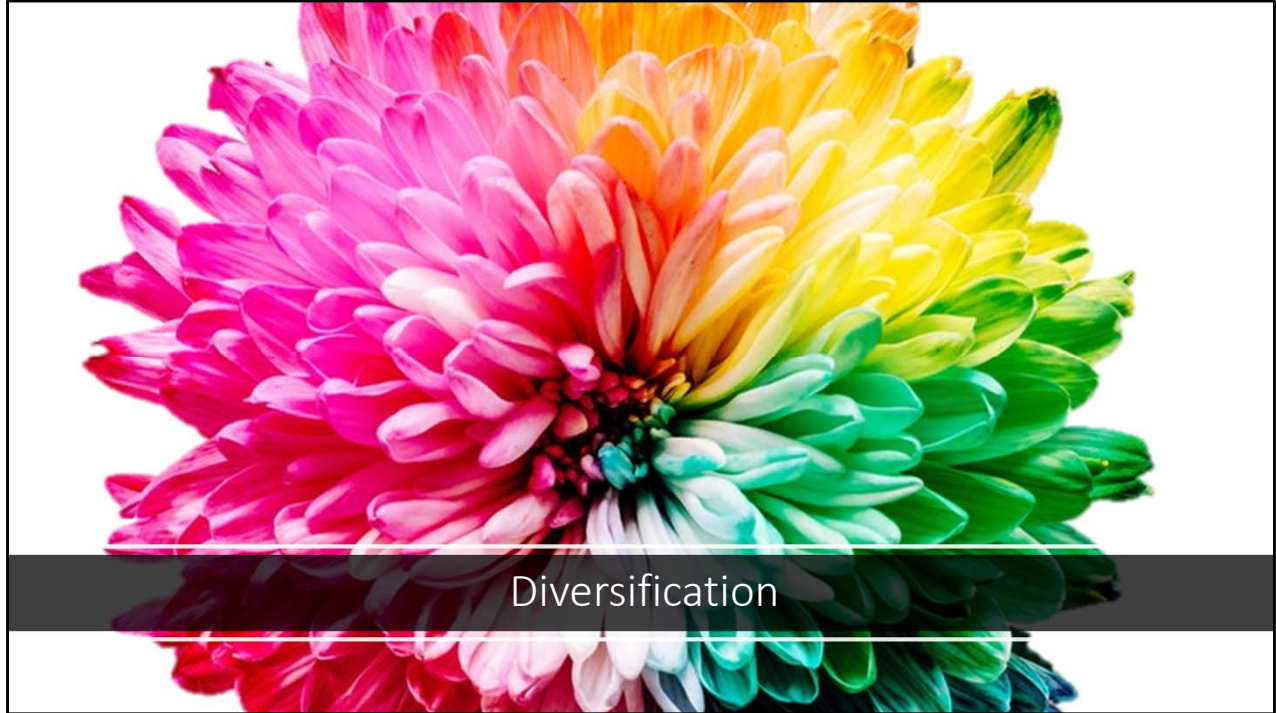
- A time of transformation
- The impact of [disruption](#) upon wellness
- Ten reasons to feel positive about [disruption](#)

Overview



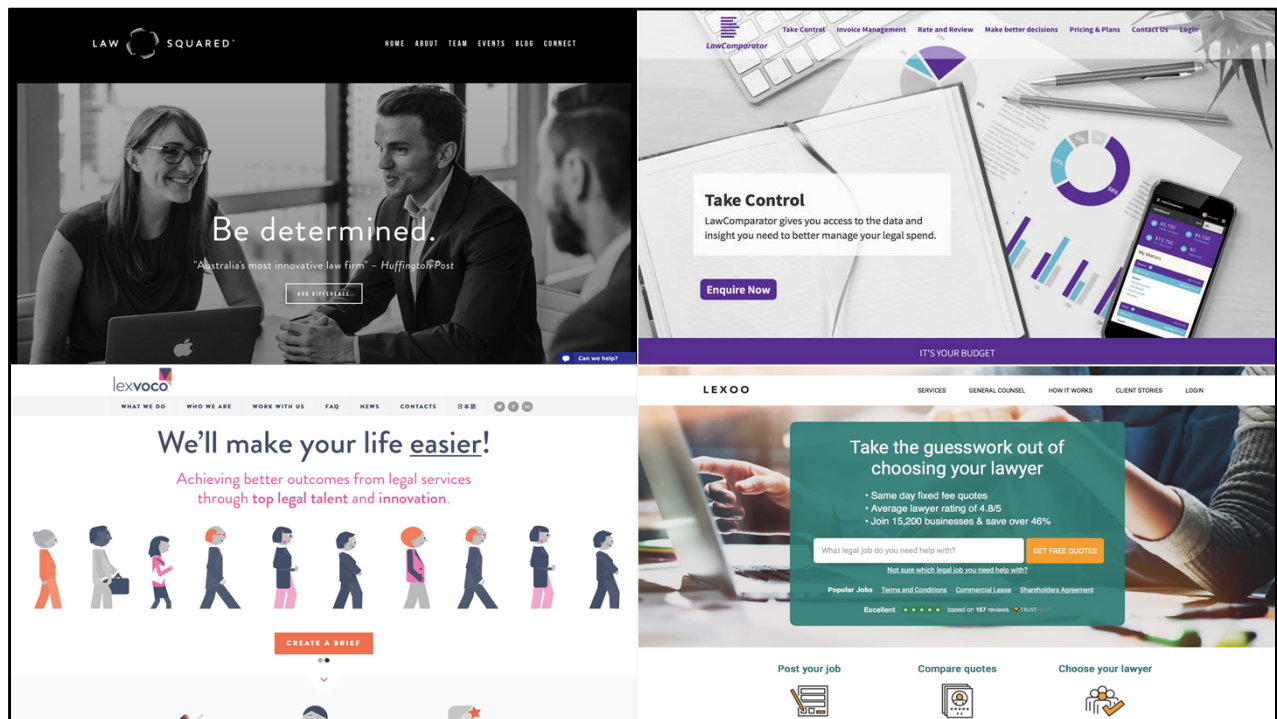
Internationalisation

- a. of our client base
- b. of legal matters
- c. of the legal talent pool
- d. of resourcing for the delivery of legal services



Diversification of models for the delivery of legal services: BigLaw v NewLaw

Unbundling of legal services



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According to Crowd & Co, it provides in-house legal teams with detailed financial analytics, internal review and team rating tools to help them measure the performance of their external counsel.

https://www.lawyersweekly.com.au/news/21070-new-platform-to-put-in-house-teams-in-control?utm_source=LawyersWeekly&utm_campaign=10_05_17&utm_medium=email&utm_content=2

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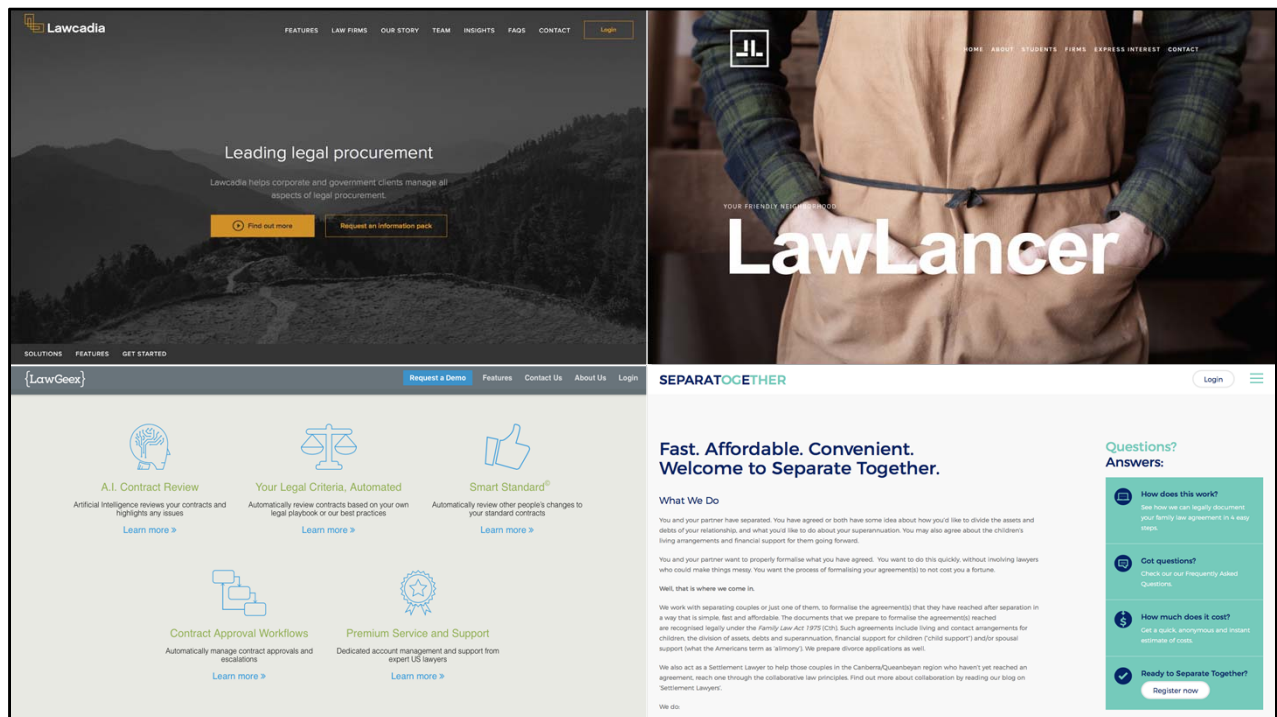
www.lexvoco.com

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www.lawlancer.legal

<http://www.goldcoastbulletin.com.au/business/business-outlines-path-for-future-legal-eagles/news-story/f7ee04cc3fe0b339790aad3a30868bba>

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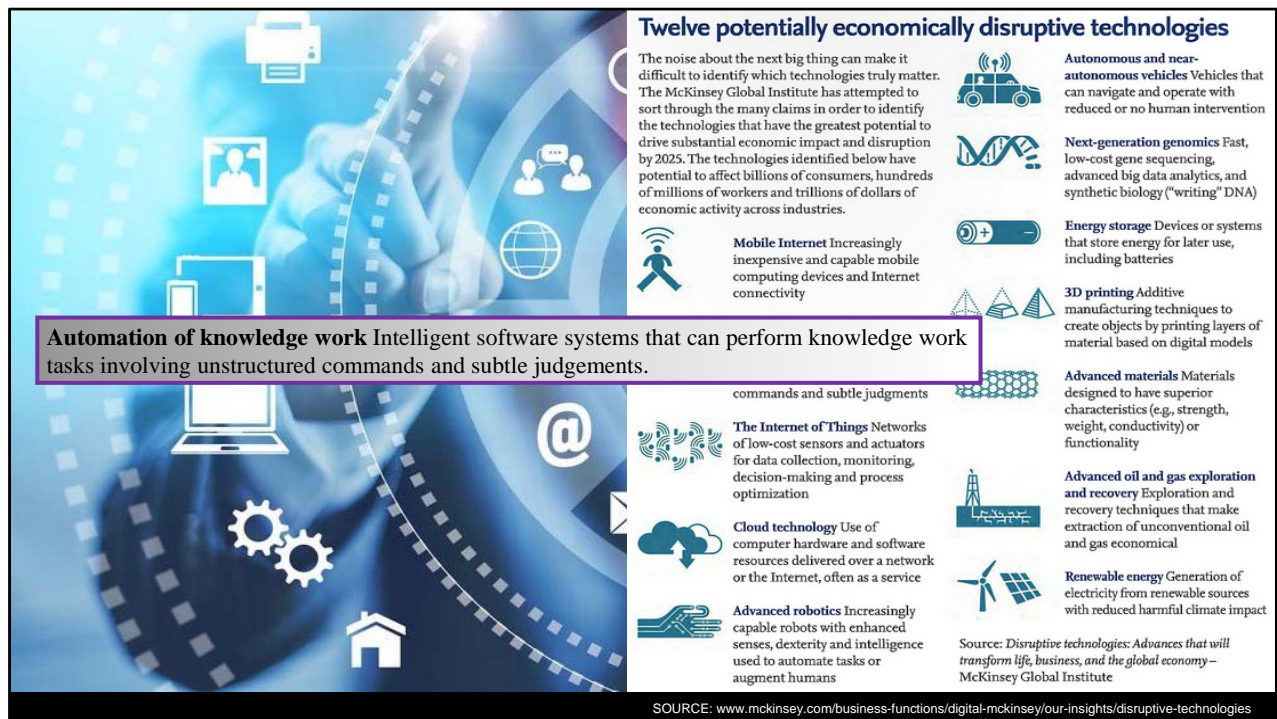
https://www.lawyersweekly.com.au/sme-law/21304-australian-first-family-law-firm-launched?utm_source=Lawyers%20Weekly&utm_campaign=16_06_17&utm_medium=email&utm_content=1

Australian-first family law firm launched

A Canberra lawyer has founded what she describes as Australia's first online family law firm, dedicated to formalising separating couples' agreements in a way that is simple, fast and affordable.




Digital disruption




Automation of knowledge work - Intelligent software systems that can perform knowledge work tasks involving unstructured commands and subtle judgements.

[illegible]



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My flight was delayed on the way to Paris. I would like some compensation.

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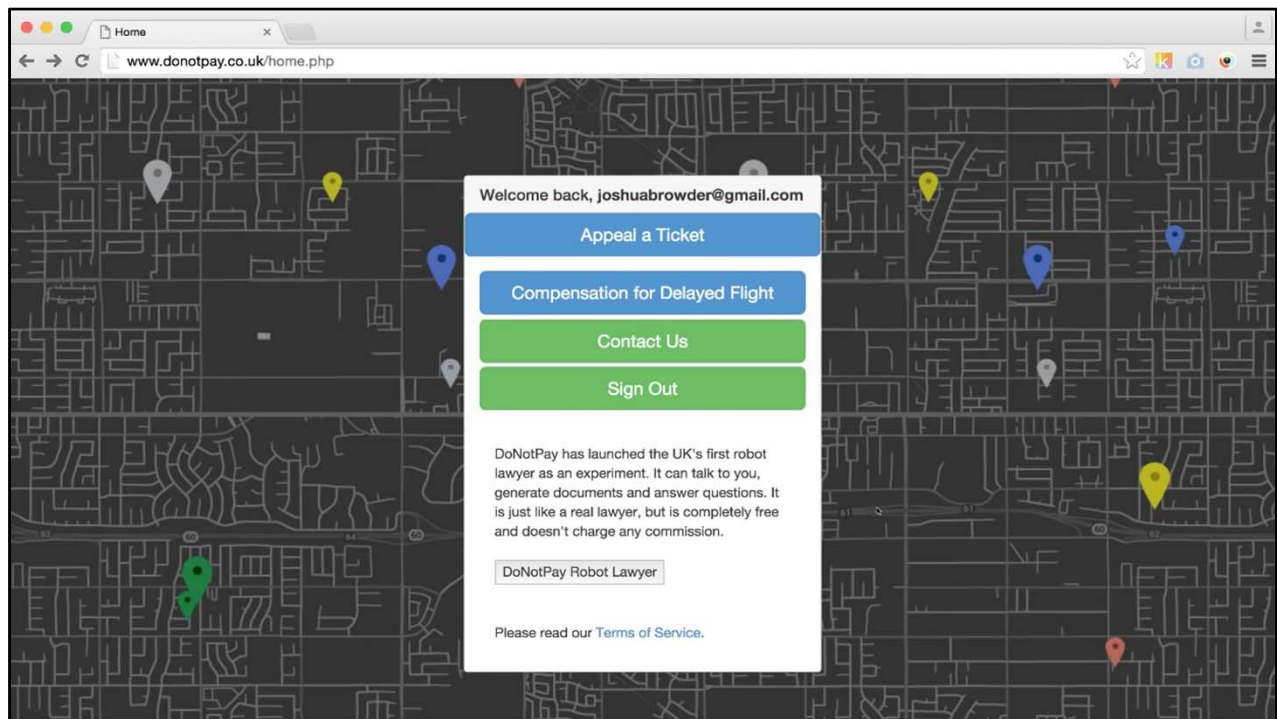
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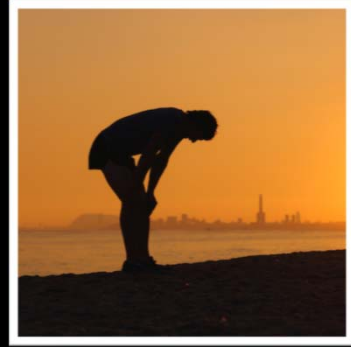
I got an official parking ticket. Can you speak for me?

What happens if I can't afford a spending ticket?

What can I help you with?

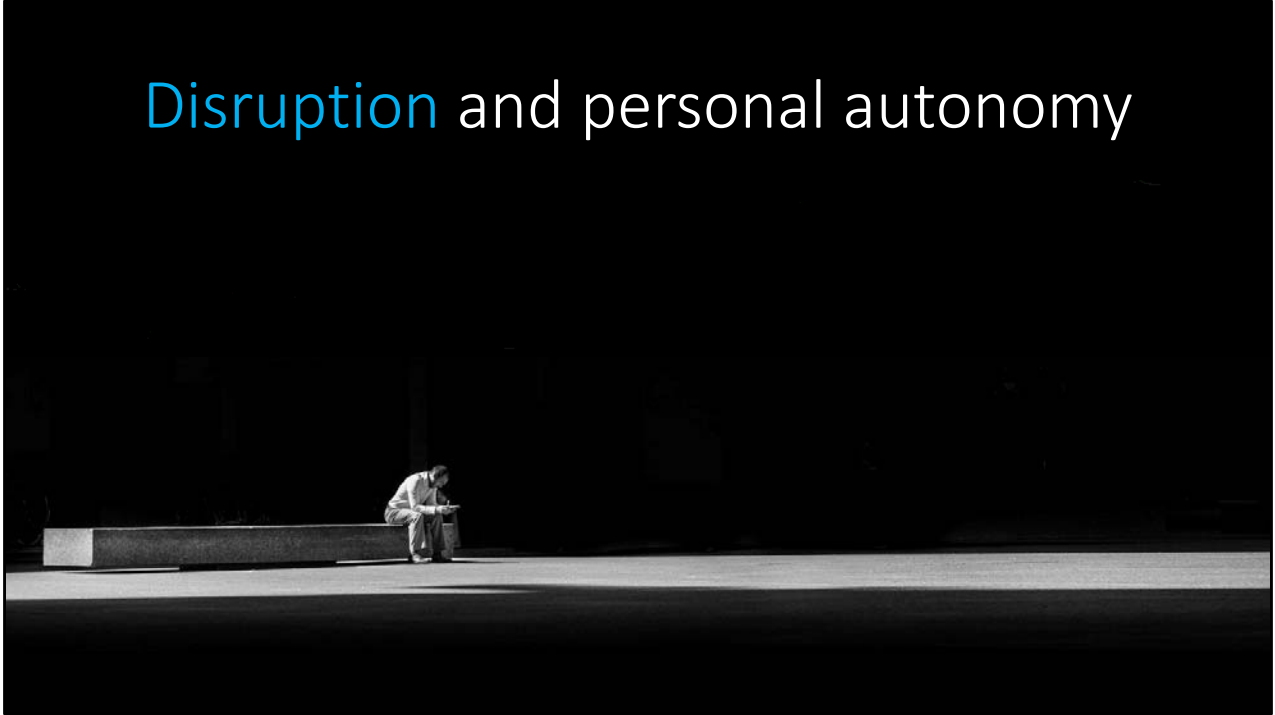


Disruption and wellness



Our response: Some of us are sticking our heads in the sand and some of us are using this as an opportunity to reinvent ourselves, but many are despairing ...

Disruption and personal autonomy



A negative perception of disruption contributes to a sense of loss of personal autonomy ..
Which in turn contributes to stress, anxiety and depression.



Our state of mind is determined by our choices and in particular our choices about what we focus upon, what we pay attention to.

<p><small>Innovations</small></p> <p>This Silicon Valley start-up wants to replace lawyers with robots</p>	<p>BigLaw 'rapidly' losing out to NewLaw counterparts</p>
<p>What lawyers are doing now 'won't be good enough in a few years' time'</p>	<p>Law firms a 'Dickensian novel' in cyber-physical battle</p>
<p>Law firm without lawyers opens its doors</p> 	
	<p>Law grad has a 'perfect resume' but can't get a job</p>
<p><small>Articles</small></p> <p>Algorithms or advocacy: does the legal profession have a future in a digital world?</p> <p><small>Brian Simpson</small></p> <p><small>Pages 50-61 Published online: 18 Jan 2016</small></p>	<p>THE NEW NORMAL</p> <p>The End of Lawyers, Period.</p>

There are many negative narratives about disruption.

Elizabeth Dwoskin, 'This Silicon Valley start-up wants to replace lawyers with robots' (14 September 2017)

https://www.washingtonpost.com/news/innovations/wp/2017/09/14/this-silicon-valley-startup-wants-to-replace-lawyers-with-robots/?utm_term=.46cd6eb2e8ff

Emma Ryan, 'What lawyers are doing now won't be good enough in a few years time' (31 October 2016)

<http://www.lawyersweekly.com.au/news/19857-what-lawyers-are-doing-now-won-t-be-good-enough-in-a-few-years-time>

Law firms a 'Dickensian novel' in cyber-physical battle (11 October 2017)

https://www.lawyersweekly.com.au/biglaw/22051-law-firms-a-dickensian-novel-in-cyber-physical-battle?utm_source=Lawyers%20Weekly&utm_campaign=11_10_17&utm_medium=email&utm_content=1

Emma Ryan, 'BigLaw 'rapidly' losing out to NewLaw counterparts' (20 February 2017)

<http://www.lawyersweekly.com.au/news/20562-biglaw-rapidly-losing-out-to-newlaw->

[counterparts](#)

‘Law firm without lawyers opens its doors’ (15 November 2017)

https://www.lawyersweekly.com.au/sme-law/22256-law-firm-without-lawyers-opens-its-doors?utm_source=LawyersWeekly&utm_campaign=15_11_17&utm_medium=email&utm_content=1

10 reasons to feel positive about disruption

1. Disruption is forcing us to reflect and improve
2. Disruption is improving the quality of legal services
3. Disruption is making the law more accessible ... and fairer
4. Disruption is not making lawyers obsolete
5. Disruption is highlighting the importance of interpersonal skills
6. Disruption has not abolished demand for law graduates
7. Disruption is creating new legal careers
8. Law schools are evolving in response to disruption
9. Disruption can lead to improved work-life balance
10. Disruption is an opportunity to reinvent ourselves



But there are also positive narratives ...



Disruption is forcing us to reflect and improve

We have gotten away with not changing much for a long time, and while stability and tradition are important, a shake-up was long overdue.

Skills for the new lawyers according to the FLIP Report:

- Tech skills
- Practice skills
- Business skills
- Project management
- Internationalisation and cross border practice
- Interdisciplinary experience
- Resilience

Why law is 'leading the charge' with technology



NEW LAW | 07 JULY 2017

By: Tom Lodewyke



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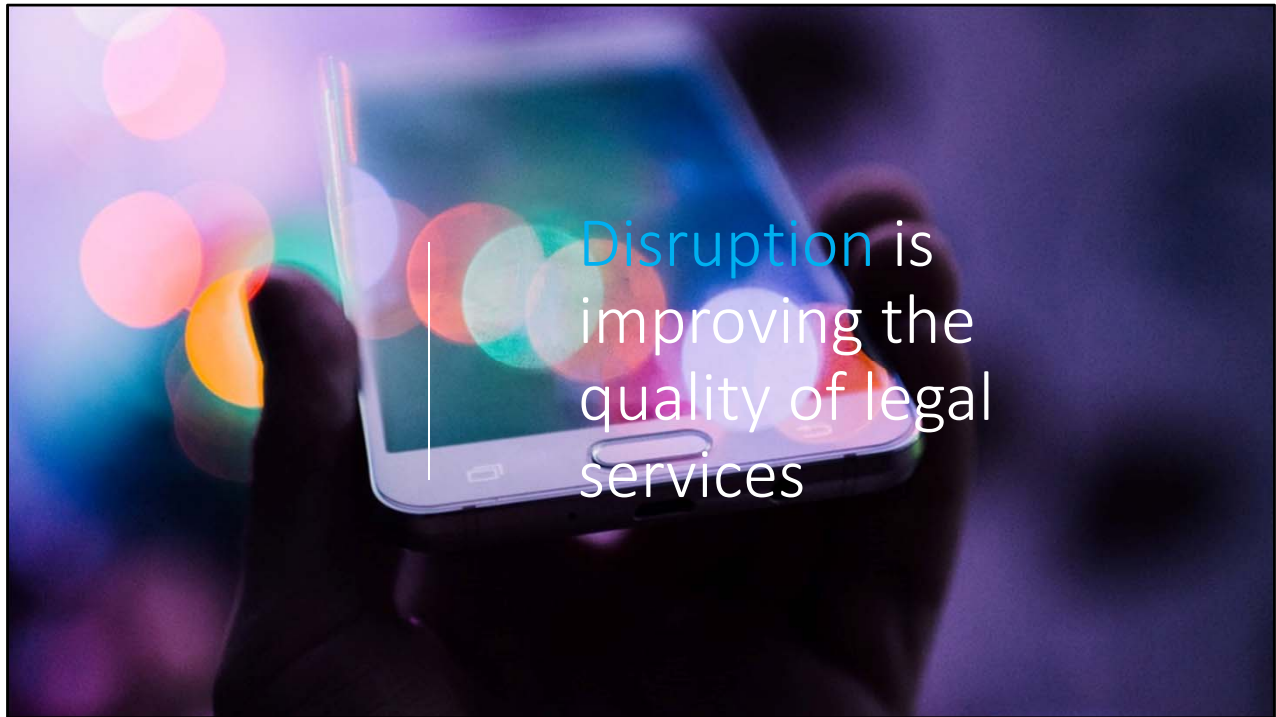
SHARES

COMMENTS

The law is miles ahead of other professional services when it comes to adopting smart technologies and using big data, according to a leading consultant.

Law may in fact be leading the way in terms of embracing technology

[https://www.lawyersweekly.com.au/newLaw/21438-why-law-is-leading-the-charge-with-technology?utm_source=Lawyers%20Weekly&utm_campaign=07_07_17&utm_medium=email&utm_content=1](https://www.lawyersweekly.com.au/newlaw/21438-why-law-is-leading-the-charge-with-technology?utm_source=Lawyers%20Weekly&utm_campaign=07_07_17&utm_medium=email&utm_content=1)



Disruption is improving the quality of legal services

Technology can make some legal services faster, cheaper, better quality, more accurate (less human error)

AI boosting lawyers' value delivery, firm says (22 November 2017)

[https://www.lawyersweekly.com.au/newLaw/22298-ai-boosting-lawyers-value-delivery-firm-says?utm_source=LawyersWeekly&utm_campaign=22_11_17&utm_medium=email&utm_content=2](https://www.lawyersweekly.com.au/newlaw/22298-ai-boosting-lawyers-value-delivery-firm-says?utm_source=LawyersWeekly&utm_campaign=22_11_17&utm_medium=email&utm_content=2)

A Sydney law firm has said its use of artificial intelligence technology has freed up lawyers to spend more time on analysis and problem-solving.



Disruption is making the law more accessible ... and fairer

'The AI platform creating a safe space for DV victims to get help' (10 August 2017)

[https://www.lawyersweekly.com.au/newLaw/21657-the-ai-platform-creating-a-safe-space-for-dv-victims-to-get-help?utm_source=Lawyers%20Weekly&utm_campaign=10_08_17&utm_medium=email&utm_content=3](https://www.lawyersweekly.com.au/newlaw/21657-the-ai-platform-creating-a-safe-space-for-dv-victims-to-get-help?utm_source=Lawyers%20Weekly&utm_campaign=10_08_17&utm_medium=email&utm_content=3)

Tom Lodewyke, 'Students workshop tech solutions to social issues' (8 August 2017)

https://www.lawyersweekly.com.au/careers/21640-students-workshop-tech-solutions-to-social-issues?utm_source=Lawyers%20Weekly&utm_campaign=08_08_17&utm_medium=email&utm_content=4

AI promise could radically improve justice, lawyers say (31 January 2018)

https://www.lawyersweekly.com.au/bigLaw/22618-ai-promise-could-radically-improve-justice-lawyers-say?utm_source=LawyersWeekly&utm_campaign=31_01_18&utm_medium=email&utm_content=1

Streamlining Australian sentencing procedures to be fairer and more transparent could be

as easy as clicking a button, two legal academics have said.

According to researchers, Artificial Intelligence (AI) has the power to remove very real human problems from sentencing.

Professor Mirko Bagaric and Professor Dan Hunter from the Swinburne University have published a paper in the Criminal Law Journal that shows factors such as emotional bias and human error could be completely removed in the sentencing process if AI were deployed.



Disruption is not making lawyers obsolete

NewLaw not a rival to mid or top-tiers (24 August 2017)

https://www.lawyersweekly.com.au/biglaw/21740-newlaw-not-a-rival-to-mid-or-top-tiers?utm_source=Lawyers%20Weekly&utm_campaign=24_08_17&utm_medium=email&utm_content=1

'Firms financially optimistic despite persistent disruption (30 January 2018)

https://www.lawyersweekly.com.au/biglaw/22615-firms-financially-optimistic-despite-persistent-disruption?utm_source=LawyersWeekly&utm_campaign=30_01_18&utm_medium=email&utm_content=1

A new report dubbed ALPMA Crowe Horwath Financial Performance Benchmarking Study, conducted by Crowe Horwath and Australasian Legal Practice Management Association (ALPMA), has found that law firm profitability remained strong over FY17 despite increasing disruption.

According to the report, profit margins for FY17 sat between 54 per cent and 64 per cent, with close to 64 per cent of participating firms meeting or outperforming expectations.

"Despite the sluggish economy, client pressure and increasing competition, three quarters of firms surveyed expect to grow in 2018 by at least 10 per cent, with the majority of

growth being generated from new client prospects,” said ALPMA president Dion Cusack, commenting on the findings.

‘Demand for mid-level lawyers ‘strong’ (7 February 2018)

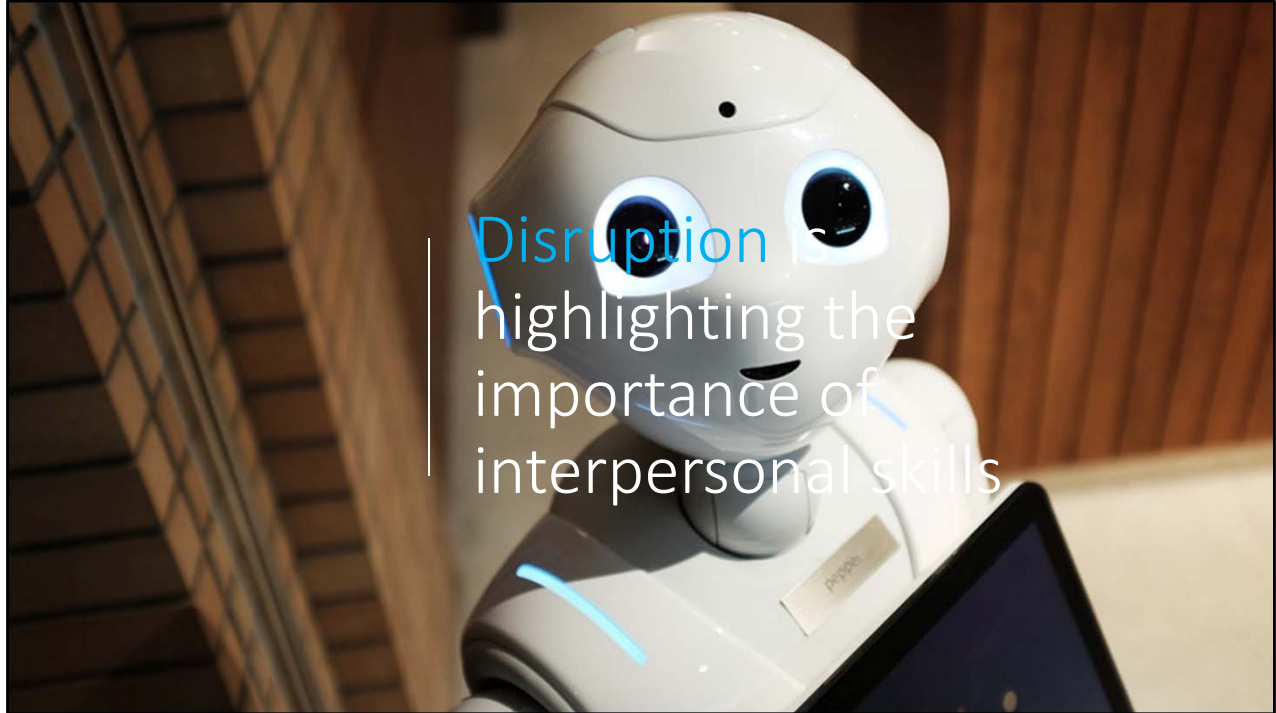
https://www.lawyersweekly.com.au/biglaw/22700-demand-for-mid-level-lawyers-strong?utm_source=LawyersWeekly&utm_campaign=07_02_18&utm_medium=email&utm_content=2

Lyria Bennett Moses, ‘Understanding Artificial Intelligence to Realise the Value of Legal Training’ (Australian Academy of Law 2017 Conference, ‘The Future of Australian Legal Education’, Sydney, 11-13 August 2017)

Technology such as AI creates as well as reduces legal work

Lawyers are needed:

- the technology does not always work properly or fairly, e.g. Centrelink debacle
- under lawyers understand and appreciate the fundamental values the legal system enshrines and seeks to protect
- we need lawyers to challenge the tools



Disruption is highlighting the importance of interpersonal skills

'Judgment, creativity, relationships': The edge keeping robo-lawyers at bay' (19 January 2018)

https://www.lawyersweekly.com.au/biglaw/22572-judgment-creativity-relationships-the-edge-keeping-robo-lawyers-at-bay?utm_source=LawyersWeekly&utm_campaign=19_01_18&utm_medium=email&utm_content=1

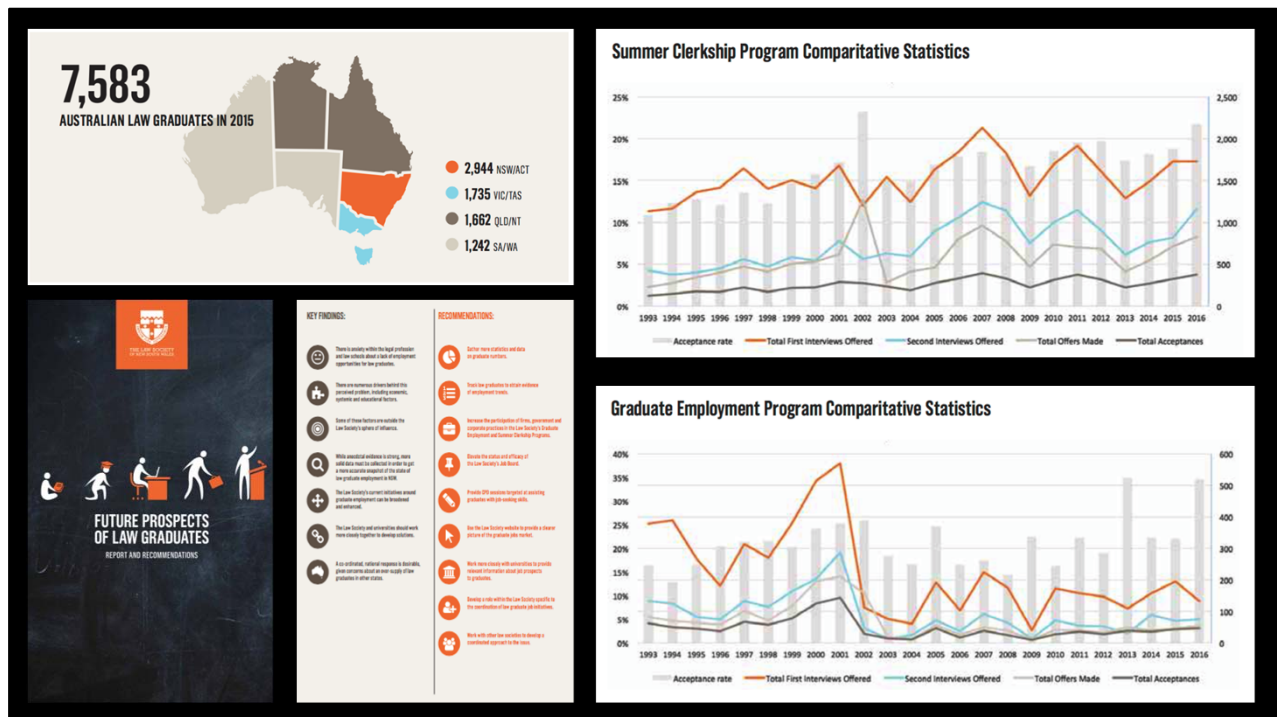
"The future belongs to those who can form lasting relationships. In other words, those who can act as human beings with other human beings," Dr Murray said. "Most law firms at the moment are rushing into technology as if that will save them. I would argue and I will argue today that that is exactly the wrong thing to do. They're going exactly in the wrong direction. They're racing into irrelevance. Human beings are about mutual support. That is what human beings are about."



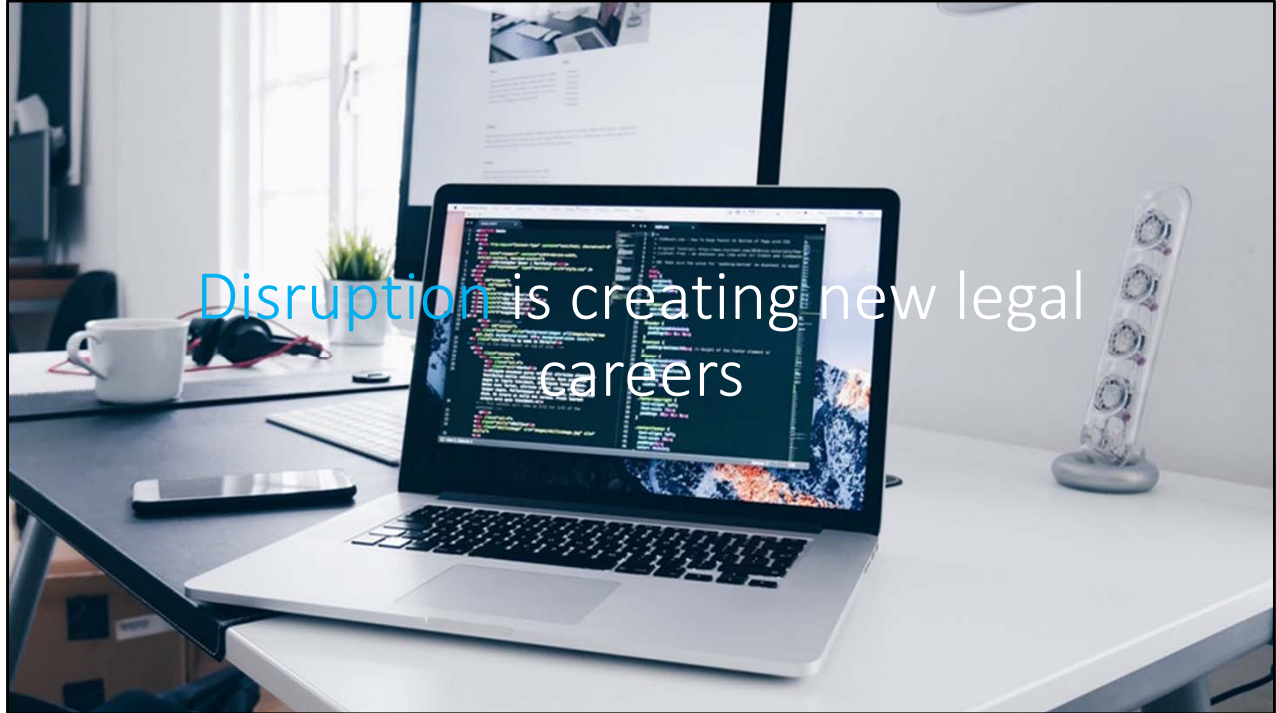
Disruption has not abolished demand for law grads

'Grad recruitment bolstered with launch of Aus' 'first virtual law internship' (15 January 2018)

https://www.lawyersweekly.com.au/biglaw/22540-grad-recruitment-bolstered-with-launch-of-aus-first-virtual-law-internship?utm_source=LawyersWeekly&utm_campaign=15_01_18&utm_medium=email&utm_content=2



<https://www.lawsociety.com.au/cs/groups/public/documents/internetcontent/980877.pdf>



Disruption is creating new legal careers

New lawyer hybrid jobs: lawyerbot developer, blockchain developer, cybersecurity officer, data analytics officer, contracts analytics officer, expertise automation specialist, risk analyst/management officer etc

Simon Wilkins, 'The changing pathways of law graduates' (2 February 2018)

https://www.lawyersweekly.com.au/careers/22637-the-changing-pathways-of-law-graduates?utm_source=LawyersWeekly&utm_campaign=03_02_18&utm_medium=email&utm_content=5

Graduates must also adapt to the changing career paths that are now available in law. The traditional career pathway of a lawyer was long and straight – new graduates had a strong grasp of how their career might unfold from when they graduated university to when they became partner. This pathway is now less certain. The role of the lawyer is now vast and diverse. What was before a single path is now a winding path that forks. This is a challenge for employer and graduate alike.



Law schools are evolving in response to disruption

'Education transforms to hi-tech' (13 June 2017)

<http://www.theaustralian.com.au/business/legal-affairs/education-transforms-to-hitech/news-story/b5b035a6499228051d6f03c9ccfd087>

Legal education is undergoing a rapid transformation aimed at producing lawyers for a legal sector that is embracing technology. George Williams, who is dean of law at the University of NSW, says the rise of technology in the legal sector means lawyers are already working with expert computer systems. "We know those systems can pass law exams today," he said. This meant law schools needed to integrate technology within legal education and focus on the factors where lawyers could still add value: integrity, ethics, professional relationships, creativity and imagination.

UTS STARTERS

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UTS STARTERS THE LEGAL FORECAST

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STARTUP HATCH
DISRUPTING LAW

Disrupting Law 2016

Tech-focused legal major to equip graduates for law of the future

In summary:

- UTS Law is launching Australia's first undergraduate legal major in legal technologies and legal futures, with earliest intake in March 2018
- The Legal Futures and Technology Major will be offered as part of the standalone Bachelor of Laws and combined Bachelor of Laws degrees, and will focus on equipping students with the requisite knowledge to work with new technologies in a legal capacity

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Technology and Legal Practice
An Intensive Subject Examining the Digital Disruption of Legal Practice

This subject has been created for legal practitioners who want to upskill in their profession by learning how to integrate technology into their practice. Delivered as a two-day intensive workshop and a series of four online learning modules, it is a full master's level subject and can be taken as a standalone course or later applied towards completion of a Master of Laws (LLM) at Bond University. Legal practitioners are eligible for up to 5 CPD points.

ONLINE MODULES

- Module 1: Overview of the Legal Profession
- Module 2: Legal Infrastructure and the New Economy
- Module 3: Code is Law
- Module 4: Legal Startups and Emerging Technologies in Law

Each module includes videos, relevant readings, online discussions and resources from leaders in innovation and law from around the world.

INTENSIVE WORKSHOP

A two-day conference style workshop will be held on Friday, 28 and Saturday, 29 July, 2017 in the Faculty of Law Boardroom at Bond University. The conference will include guest speakers from the legal industry, startups, venture capital funds and the technology industry.

The coordinator and guest speakers will lead discussions about the impact of the technology innovations on contemporary legal practice. Students must complete the first three modules prior to the workshop.

Cost: \$4,999 for the four modules and the two-day workshop. Travel and accommodation not included. For assistance with travel arrangements please contact Campus Travel at bondcampustravel.com.au or 07 3838 2865. Fees may apply.

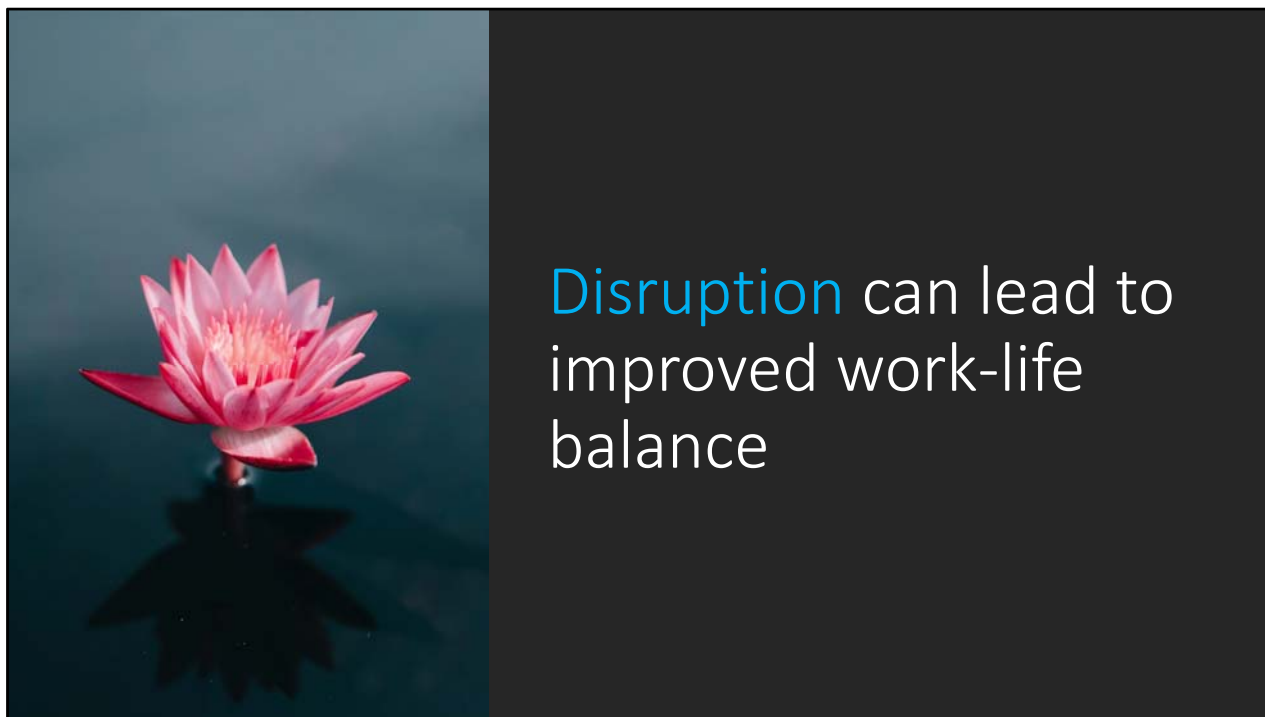
Bond University Centre for Professional Legal Education

We are a community of experienced legal educators, legal researchers, legal practitioners and legal administrators collaborating to define, understand, create and deliver professional legal education and training of the highest quality.

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Technology and Legal Practice LAWS777-90
Enrolments close Friday, 30 June, 2017.

1. Hackathons
2. Legal tech subjects (e.g. Pip Ryan at UTS, UWA, Matt Roach at Bond) and specialisations (UTS, Bond)
3. Legal tech CPD
4. Embedding emergent technologies into core law subjects (e.g. Alexandra George at UNSW)



Disruption can lead to improved work-life balance

'Tech uptake fostering work/life balance, study finds' (1 November 2017)

https://www.lawyersweekly.com.au/careers/22178-tech-uptake-fostering-work-life-balance-study-finds?utm_source=Lawyers%20Weekly&utm_campaign=01_11_17&utm_medium=email&utm_content=3

The Human v Cloud: 2017 LexisNexis Roadshow Report, released last week, showed that technological advances are increasingly enabling Australian lawyers to integrate their work and personal lives.

"With technology enabling lawyers to be constantly connected, the boundaries between what time and space is allocated for work [are] shifting," the report said.

"Defining parameters for what time is to be committed to one's professional and personal life has become increasingly difficult. This shift has brought forth a new perspective—rather than seeing work and life as two opposed weights on a scale that need to 'balance', there is now a 'work/life integration' – one balanced whole uniquely created to suit an individual's scope and need."

The report was based on a survey of over 500 legal professionals, 39 per cent of whom said good work/life balance or flexible working arrangements were key retention strategies for law firms.

“We’re seeing the emergence of tech-collaborative lawyers – savvy professionals who are essentially partnering with technology to forge ahead with non-traditional career paths,” said Simon Wilkins, general manager of LexisNexis Australia.

“Mobile technology has removed the confines of traditional working hours, giving professionals flexibility in when, where, and how they want to work, particularly through tools such as business communication and time management software.

“This is the kind of industry lawyers – particularly young lawyers – now expect to work in. One that empowers them to do their best work in a place and at a time that suits them.

“The influx of young lawyers is changing the priorities of the profession, according to the report. When asked what was the top indicator of success in a legal career, 29 per cent selected ‘peer recognition by an expert’, followed by 25 per cent for ‘attaining professional standing’, 20 per cent for ‘positive work/life balance’ and 10 per cent for ‘annual income’.

“The mindset of earning your stripes through long hours of research and data work is now gone,” said Mr Wilkins.

“Legal professionals want technology to take care of the monotonous work while they spend time on the work they find most fulfilling.

“With advancements in technology, some lawyers have joined the growing ranks of the gig economy. Freelance work offers flexibility and a lifestyle that some find more desirable than traditional office-based work.

However, it comes with its own challenges, including a lack of financial stability and potentially even worse work/life balance.

The report acknowledged that the same technologies that have made work more flexible have also made it more intrusive into lawyers’ personal lives.

“The connectivity afforded by technology also means that it may be challenging to disconnect virtually,” the report said.

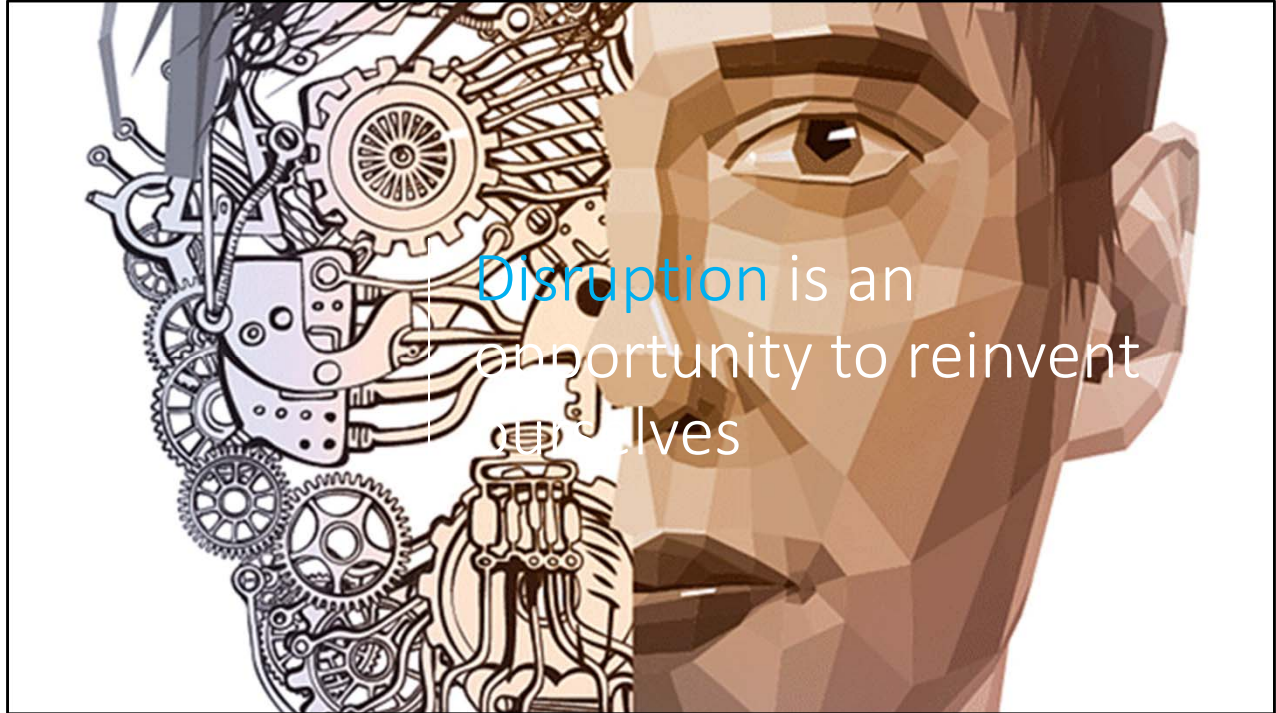
“Those new to the field who desire to impress can fall into the vicious cycle of staying connected at all times without knowing when to disconnect.

“While disconnecting is an individual choice, a majority of lawyers were in agreement that a cultural change allowing flexible working, not checking emails after a certain time and ‘switching off’ needed to be influenced and supported on a management level.”

Tom Lodewyke, ‘AI to ‘make life easier’ for lawyers’ (29 March 2017)

http://www.lawyersweekly.com.au/news/20838-ai-to-make-life-easier-for-lawyers?utm_source=LawyersWeekly&utm_campaign=29_03_17&utm_medium=email&utm_content=4

Rather than putting lawyers out of work, artificial intelligence is improving their efficiency and automating some of the more tedious aspects of their practice, according to a legal software executive.



Disruption is an opportunity to reinvent ourselves

1. Embrace technology and develop digital skills
2. Identify those aspects of legal practice that technology cannot easily replicate: humane professionalism

The two types of solution are not mutually exclusive

The metaphor of the cyborg: half machine, half human

Emma Ryan, 'Cyborg lawyers' the future of the profession, says CEO (12 July 2017)

https://www.lawyersweekly.com.au/biglaw/21464-cyborg-lawyers-the-future-of-the-profession-says-ceo?utm_source=Lawyers%20Weekly&utm_campaign=12_07_17&utm_medium=email&utm_content=1

The chief executive officer and principal family lawyer of a Melbourne-headquartered firm says that the future of the profession “will be won” by cyborg lawyers, with those who rely exclusively on technology, or shun it completely, doomed to fail. According to Settify CEO and principal family lawyer Max Paterson, the lawyers of tomorrow will need to make sure they find a happy medium in utilising technology to avoid unprecedented consequences.

“The future will be won by cyborg lawyers – great lawyers who leverage technology, making them smarter, faster and more effective,” Mr Paterson said.



We are powerless over our circumstances and the future

But we are not powerless when it comes to who we are and what we do in this moment

Thank you